

Rec'd PCT/PTO 28 MAR 2005

PATENT COOPERATION TREATY

From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

Rec'd PCT/PTO 28 MAR 2005  
PCT

To:

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PA 78139 ZE  
27 MAJ 2004  
AS 400 Sp TI inven ZE

WRITTEN OPINION  
(PCT Rule 66)

Applicant's or agent's file reference  
78139 Zeu/ve

REPLY DUE within 3 month(s)  
from the above date of mailing

International application No.  
PCT/DK 03/00617

International filing date (day/month/year)  
23.09.2003

Priority date (day/month/year)  
26.09.2002

International Patent Classification (IPC) or both national classification and IPC  
C23C18/18

Applicant  
INSTITUTTET FOR PRODUKTUDVIKLING et al.

1. This written opinion is the **first** drawn up by this International Preliminary Examining Authority.
2. This opinion contains indications relating to the following items:
  - I ☒ Basis of the opinion
  - II ☐ Priority
  - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
  - IV ☐ Lack of unity of invention
  - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
  - VI ☐ Certain documents cited
  - VII ☐ Certain defects in the international application
  - VIII ☐ Certain observations on the international application
3. The applicant is hereby invited to reply to this opinion.
 

**When?** See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(d).

**How?** By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

**Also:** For an additional opportunity to submit amendments, see Rule 66.4.  
For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4 bis.  
For an informal communication with the examiner, see Rule 66.6.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.
4. The final date by which the international preliminary examination report must be established according to Rule 69.2 is: 26.01.2005

Name and mailing address of the international preliminary examining authority:



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**I. Basis of the opinion**

1. With regard to the elements of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed"*):

**Description, Pages**

1-16 as originally filed

**Claims, Numbers**

1-15 as originally filed

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).  
☐ the language of publication of the international application (under Rule 48.3(b)).  
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority in written form.  
☐ furnished subsequently to this Authority in computer readable form.  
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.  
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:  
☐ the claims, Nos.:  
☐ the drawings, sheets:

5. ☐ This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

6. Additional observations, if necessary:

**V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

**WRITTEN OPINION**International application No. **PCT/DK 03/00617**

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Novelty (N)	Claims	1, 2, 4-10, 12, 13 no
Inventive step (IS)	Claims	3, 11, 14, 15 no
Industrial applicability (IA)	Claims	

2. Citations and explanations  
see separate sheet

V.

1. Claim 1 and, by implication, claims 12 and 13 are obscure in scope due to the expression "adsorbing metal oxide" to which no definite technical meaning can be attached.

Moreover, the meaning of the expression "catalytic metal ions" is indeterminate unless the reaction which said metal ions affect is specified.

In any event, these claims, in referring to "transition metal ions" and "catalytic metal ions", are speculative in scope and/or not sufficiently supported by the description, which for these metals only specifies Co and Sn (which is not a transition metal) and Pt group metals respectively.

The same point also applies to the "adsorbing metal oxide", which is exemplified only by  $\text{MnO}_2$  and  $\text{Fe}_2\text{O}_3$ .

2. Considering the alleged invention insofar as it emerges from the description and having regard to the state of the art on record, the following points arise.

GB-A-1 401 600, US-A-4 073 740 and US-A-3 579 428 disclose a process for pre-treating a non-conductive polymeric surface for metal plating comprising the steps of immersing the permanganate-treated surface in a solution of stannous ions followed by immersion in a solution of e.g. Pd or Pt ions (see e.g. GB'600, p.3, l.44-50 and p.6, l.36ff; US'740, cpl.2, l.6-ff and col.5, l.10-15 and US'428, col.1, l.40-65).

These disclosures therefore take away the novelty of the subject-matter of claims 1, 2, 4-10, 12 and 13.

None of the remaining claims contain features which justify the acknowledgment of an inventive step since these claims are directed to features which either are derivable from the above-mentioned state of the art or fall within the normal capabilities of the skilled man.

3. In meeting any of the above points, care must be taken not to introduce matter

**WRITTEN OPINION  
SEPARATE SHEET**

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extending beyond the content of the application as originally filed.